

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Quinton Brown,)	C/A No. 3:15-3334-JMC-PJG
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Anthony Dennis, <i>Sumter County Sheriff</i> ;)	
Investigator Jennifer Thomas; Thomas R.)	
Mims, Jr.; Hampton Gardner; Robert Burnish;)	
Jennie Daley; Wesley Gardner; Susan Oaks-)	
Thomas; Edward Francis Brown; Willie)	
McFadden; Krystle Skinner; and Shenequa)	
Oaks,)	
)	
Defendants.)	
)	

The plaintiff, Quinton Brown, a litigant represented by counsel, initiated this civil action and filed his Complaint on August 21, 2015. (ECF. No. 1.) This matter is currently before the assigned United States Magistrate Judge for a service of process status review.

Because the plaintiff is represented by counsel but also was granted leave to proceed *in forma pauperis*, the court reminded the plaintiff that he was responsible for service of process pursuant to Fed. R. Civ. P. 4(c)(1) unless he provided the court with completed USM-285 forms so that service could be effected by the U.S. Marshal's Service pursuant to Fed. R. Civ. P. 4(c)(3). (ECF No. 12.) The court warned the plaintiff that if service was not effected within 120 days, this action would be recommended for dismissal without prejudice pursuant to Rule 4(m).

The Federal Rules of Civil Procedure state that a plaintiff must serve a defendant within 120 days after the complaint is filed and, unless service is waived, must provide proof of service to the

court.¹ Fed. R. Civ. P. 4(l)(1) and 4(m). As of the date of this order, more than 120 days has passed since the plaintiff initiated this action by filing his Complaint, and the plaintiff has not filed proof of service with the court as to Defendants Susan Oaks-Thomas, Edward Francis Brown, and Shenequa Oaks. It is therefore

ORDERED that the plaintiff shall have until **November 28, 2016** to provide the court with proof of service of the Complaint upon Defendants Susan Oaks-Thomas, Edward Francis Brown, and Shenequa Oaks in accordance with Federal Rule of Civil Procedure 4(l)(1), or show good cause for failure to serve pursuant to Rule 4(m). **Failure to do so will result in these defendants being dismissed from this action for failure to serve.** Fed. R. Civ. P. 4(m).

IT IS SO ORDERED.



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

November 16, 2016
Columbia, South Carolina

¹ This Rule was amended December 1, 2015 to reduce the time in which to effect service to 90 days. However, the plaintiff's Complaint was filed prior to this amendment; accordingly, the plaintiff had 120 days in which to effect service on the defendants.